

Previous references.
Chief Commr's ~~order~~ 20
141 dtd 31/7/16
Pris. 8 of 1905-6

1909.
(Prisons ;

File No. 79-08

Serial Nos. 142

Later references.

Dip 469-09
is. 74 of 1905 - 1809
)

med 60-14 1-2 -
med 80-14. BGS/1-4
April 1915

GENERAL AND REVENUE SECRETARIAT.

erial Nos. 142.

Part 3. for January 1915

SUBJECT.

Admission of private insane into the
Lunatic Asylum, Bangalore

Table of Contents

From the Senior Surgeon No. 683 of 1-5-07.

Forwards copy of letter no. 517 of 27-4-09 from
Senior Surgeon in charge of the Lunatic Asylum
Bangalore and its enclosures re the admission
of a private lunatic by name Gaffur Hussain Mahka
into the Asylum & states that he agrees with the officer
in charge of the Asylum in his proposal to adopt in the
the Madras rules re admission & discharge of private
insane.

To the Senior Surgeon & the St. Mages No. 9
R. S. 58

States that it is inexpedient to alter
rules but that magistrates may hold
in camera or may go to the house resi
lunatic in cases where undue publicity is not desired

26-1-10
existing
investigates
the alleged

190 8.09

GENERAL AND REVENUE SECRETARIAT

*Prisons
medical*

NOTES.

79.08
File. No. 242-08

FILE HEADING.

Admission of private insane into the Lunatic Asylum
Bangalore.

From

The Senior Surgeon

No. 683 Dated 7.5.09 Received 8.5.09

Diary No. 8021

Enclos. 4

Spare Copies.

Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards copy of letter no 517 of 27.4.09 from the Senior Surgeon in charge of the Lunatic Asylum, Bangalore & its enclosures re: the admission of a private insane by name Goryffor Hussain making into the Lunatic ^{Asylum} & states that he agrees with the officer in charge of Lunatic Asylum in ~~his~~ his proposal to adopt in support the Madras rules re: admission and discharge of private insane.

NOTES AND ORDERS.

The med. officer in charge of the Lunatic Asylum states that under the rules issued with the late Chief Commr's notn. no 141 of 31.7.1874, a magistat the med. officer himself cannot ~~admission~~ ^{admission} into the Asylum a private insane whose

P. R. S.

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admission is sought for by the relative, friend or guardian of ~~necessaries~~ the insane and suggests therefore that the rules for admission and discharge of private lunatics obtaining in the Madras Presidency may be adopted in Mysore with a modification. A copy of these Madras rules is subd with the letter.

✓ The admission & detention of lunatics is regulated by Act ~~XXXI~~ of 1858 and the rules issued with the late Chief Commr's Order of 31.7.1874. The question raised by the ~~most~~ Senior Engineer ^{is} ~~may~~ perhaps ^{one to} be dealt with in the Judicial Branch III. The Secy of the Branch however stated that the letter under disposal does not belong to Branch III.

3 subd for orders.

Ministry
14.5.09. This is a case requiring an amendment of

The Rules. May this be transferred ~~be referred~~ to Br III?

Secy) 18.5.09 Illl

✓ But it is a matter for the admsn. Dept. - the medical dept. - to ^{decide} ~~consider~~ whether provision is necessary for the treatment of private lunatics in the lunatic asylum at foot expense & to ^{consider what} ~~suggest~~ ^{any} ~~any~~ ^{limitations} if any are required. The file may then be sent to Br III for suitably amending the rules

Paris

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6. It seems to be a fact beyond doubt that there
will be ~~not~~ ^{at least} a few cases in which lunatics
prove unmanageable by their relatives or
guardians and that it is but a legitimate
function of the State to take such lunatics
under ^{its} protection in the interest not only
of the lunatics themselves but of the
Society in which they live. The rules issued
with Chief Commr's L.M. of 31.7.1874 do
not seem to provide for the reception &
detention ^{of a lunatic} in the State Asylum, ~~for a lunatic~~
on the application of a relative or guardian
of the lunatic, who may find it impossible
to manage the lunatic at home. Provision
for treatment of ^{private} lunatics of the kind in the
lunatic asylum seems to be a matter of
necessity from ~~the~~ ^{the} administrative point
of view. It is open to govt however to
assess the persons responsible for the custody
of such lunatics ~~to~~ with the cost of their
maintenance in the lunatic asylum.
Before any ~~new~~ amendment is made in the
rules of 1874, Branch III may be consulted
as to whether the same as they now stand
allow ^{private} lunatics being received into
the lunatic asylum on the appⁿ of a relative
and guardian.

Pri
and

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7 The Senior Surgeon propose that the same rules as are in force in the Madras Presidency with the modification that only one medical man need sign the certificate and he should be a gazetted medical officer, may be adopted. Instead of the words "Gazetted medical officer", we may perhaps have the words "medical officer not inferior in rank to a Sub Asst Surgeon". With this modification and the addition suggested in the last para of the Senior Surgeon's letter, the Madras Rules may be adopted.

Secy) 22-5-09. Ull

6 The suggestion of the Secy is a good one & seems to meet a real want. It is believed that magts. have been till now ordinarily ordering the detention of private lunatics with-
out any authority under the Ch. Commr's Rules but it is doubtful if the action is strictly covered by the law. The law should therefore be made clear. If the principle is approved, the further action will be taken in the next branch -

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9 certainly think that provision should be made for the admission of private lunatics into the Government Lunatic asylum on terms similar to those in force in Madras.

10 Two separate medical certificates are necessary for admitting a man into a lunatic asylum. This is to prevent the risk of a ^{same} person being cash into the asylum by an unscrupulous relation or ~~friend~~ ^{other person} who is interested in getting rid of the supposed lunatic. The rank & station of the certifying medical officer would be some guarantee of his good faith -

11 What is the meaning of the expression "a patient, former lunatic by inquisition" occurring in rule 85 of the Madras rules?

KM
7/5/09

28.5.0

Pris
and

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~~Whist~~ for order: The expression "a patient found lunatic by inquisition" probably applied to a ^{patient} ~~person~~ brought to the notice of a magistrate by some person not being the patient's relative or ^{guardian} ~~guardian~~ or a police officer & found on exam-
by the magistrate to be a lunatic.

~~But~~ 13 Forwarded to Br III
29.5.09 for taking necessary further
action -

J mis 13.0

2.6.09. III

in 4/6

8/14

Sd/- To be printed by Branch II. The existing rules regarding the reception and detention of lunatics into Asylums in the State do not seem to provide for admission of private lunatics into such an asylum except upon the interference of a magistrate. Additional rules have therefore to be framed for admitting ~~the~~ private lunatics upon the application of private persons without resorting to Magisterial enquiry &c. If so the existing rules may be given a ~~separate~~ separate heading "Rules for the reception of lunatics under orders of Magistrates" or heading to have such effect and the rules now proposed to be introduced may

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be brought under a separate heading "Rules for the reception, detention and discharge of private persons".

15 The Senior Surgeon has forwarded a copy of the Madras Rules framed in this respect under Act XXII of 1858 of the Govt of India. This Act is not in force in this State and reference to the same has therefore to be omitted in the rules to be framed for this State.

16 Perhaps the case of lunatics who are found as such by magistrates, which case seems to be governed by the provisions of Act XXII of 1858, which is not also in force in this State, but which is mentioned by the Senior Surgeon & is incorporated in the Madras Rules, has to be taken out of the scope of the rules; so that the rules have to be revised a little as follows:-

(1). Rule 85. The last 2 lines may be omitted in this rule.

(2) ^{Rule 86} Reference to Sec 7 of Act 31 of 1858 has to be omitted.

31st Nov 1908. J. V. 30-32/1908. 28
The 16th Jan 1908 already provides for papers for forms being furnished by persons applying for the admission of

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private persons into the Asylums & to the latter furnishing proper security form for the maintenance of the patient so that reference may be made to the proceedings under the Act of 1858 in filling these forms.

Sec 7 of Act XXXVI of 1858 requires the Med. Certificate of 2 men. The S. Supra proposes that it would be sufficient to obtain a medical Certificate from any one medical man, and he should be a ~~physician~~ medical officer. The first form would have 2 medical certificates as required by the Indian Act. So that the Madras bills may be adopted in this respect, with the omission of reference to Act of 1858 & reference being made to the act. rules framed with the Govt referred to above as regards Form B.

(3) Rule 87. ~~Amended~~. Reference to "Civil Med Form No. 94" may perhaps be omitted.

(4) Rule 88. Reference to "Committee of Govt. of Madras" to be omitted.

(5) Rule 89. Reference to Sec 7 of Act 36 of 1858 to be omitted.

(6) Rule 90. The word "Lunatic Surgeon" may be substituted for "Surgeon General".

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v2 (2). Rule 51. Perhaps no distinction need be maintained as regards wards their sex & the location of the patients may be left to the discretion of the officer in charge, the Hospital with reference to the accommodation available at the time of the admission of patients.

23 The first sentence may be omitted, if this is approved.

v2 (3) In the light of the above remarks, the first sentence of rule 57 may also be omitted perhaps. The other rules call for no remarks.

Shd for further orders

218
11/6/08 11-6-08

v2 1. The Madras rules are no doubt wider than our own and it may perhaps be desirable to adopt them. But I fear we can not do so without first having recourse to legislation. The Madras rules are based ~~on the Act~~ on Act no xxxvi of 1858, Section 7 of which ~~provides~~ authorises the reception of lunatics into the Presidency Asylums at the instance of private persons, subject to certain

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My note and what we have instead viz.
the Chief Commissioners' Notification
of 1874, does not contain any provision
to enable Govt to frame new rules
as now suggested. Such rules can
not, it is submitted, be framed
by the Executive Govt without
legislative sanction, as they involve
interference with the personal liberty
of individuals. I shall put a practical
instance to make my meaning
clear. Suppose a man is admitted into
an Asylum on the representation of
his relatives that he is a lunatic and
it turns out that he is not so. How
is the Officer in Charge of the Asylum
to be protected against an action for
false imprisonment? It appears to be
necessary therefore first to take the
required
necessary power through legislation.
17 The Notification of the Chief
Commissioner has the force of law in the State
having received the sanction of the Govt
of India in 1874 and can not be changed
by us except by means of an Amending
Act. If this view is held to be
correct, the opportunity may be taken

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To adopt the British Indian Act itself, which appears to be fuller than our own, with such modifications as may be found necessary to suit present and local conditions.

182. Even in B. India Sec 7 applies only to the Presidency Asylums. Sec 8 imposes further formalities for reception of lunatics in the asylums in the Muffasil.

91 (3. "A patient found lunatic by inquisition" means a person declared to be a lunatic on Enquiry held by a jury under the order of a Chartered High Court - a procedure that followed the English law. Please see preamble & to Act xxxv of 1858.

26/6/09 Sd.

Secretary) ⁷⁰ legislation appears to be desirable & necessary, & the suggestion in para 27 may be adopted.

31. If approved a draft bill will be prepared & submitted

Devised through 1842nd cr

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✓ Legislation would appear to be
necessary.

244 a draft bill may be prepared
on the lines of the British
Indian Act

WVH
307670

270 (W) 1088
Go ahead Br. Secy - Adv.
Our Rules is
my Eng. to be
the subject?

The question raised in this
file is whether the officer
in charge of the Lunatic Asy-
lum can receive a lunatic into
it merely on the application of
a relative; and this has
originated the further question
whether ~~that~~ we ought to
amend the law so as to
allow such reception.

37 The rules of the Madras
Government were issued
under the authority of legal
enactments in force there,
and there is no possibility

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of our introducing those
rules (either as they are or
in a modified form) unless
we have a Regulation drawn
on similar lines. ~~It~~

(I may parenthetically
note that the question
should have been ^{submitted} ~~con~~
~~sidered~~ ^{to the} by the Asstt Secre-
tary when the file was
referred to the Leg. Br
^{before the office suggested altera-}
first. A great deal of ^{of} ~~the~~
unnecessary work wd.
have been saved).

+ in draft
rules.

38 S. 7 of the Act ~~of~~ 36 of 1858
is an exceptional provision
applicable only to Presidency
Towns; S. 8 shows that in
other places, lunatics can be
received into asylums only
on orders obtained from
some judicial authority.
Even in England, the relative

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of an alleged lunatic can authorise his detention only for seven days, and all ~~and~~ other reception orders must be made by some judicial authority i.e. by a Justice of the Peace appointed for each County for exercising this power, or by a County Court Judge or a Magistrate. With the latter two however it is optional whether they exercise the jurisdiction in any particular case or decline to do so.

33 In the light of all these restrictions, it is impossible to say that it would be expedient to give such a power to private persons in this State

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40. A case ~~the~~ like the one that has arisen can in my opinion be dealt with quite satisfactorily by a Civil Court under the Rules of 1872 - S. 22 of which says that for enquiry into a question of Lunacy, Courts shall follow the procedure laid down in Act XXXV of 1858, or those of 1874. The friend or relative of the ~~the~~ lunatic has to apply under either of these Rules to procure a judicial order. S. 4 of the Rules of 1874 clearly says that a Magistrate may act either on the report of a Police Officer or on ~~that~~ the information of any other person, which of course would include a petition by a private party. It is also left open -

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tional to the Magistrate to make
an order under S. 3 even when
there are persons legally bound
to maintain the lunatic.
I think that the ^{Mag} Magistrate was
wrong in declining to act
on the petition presented to
him.

41. We have only one Asy-
lum under the control of Govt
and the cases of lunatics with
property etc are not of fre-
quent occurrence. It seems
to me that on the whole
our rules if properly worked
are sufficient. If con-
sidered necessary, then a
Consolidated Regulation may
be framed. I think this
point may be first set-
tled in ^{the} Council. The
file may be again sub-

Office

Please let me
see rules about
the Lunatic asy-
lum (Manage-
ment &c) separately.

Ans

and petition is
being taken in
reference to this
reference
2/2/11

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Mitted to the ⁸/₁₀ Council -
for the Dewan -

Hing

15/8/9

I have made
certain notes
in pencil. Please

Keep carefully in
the line. # See the last
page of the
Hing

4. Secn. The Government
Advocate's opinion will
be valuable 16/8/9

31/7/09

This will be visited after usual
through the Dewan -

16/8/9

31/7/09

1876 (460000)
31-7-09

4. The Government Advocate's
opinion may be visited -
One point for consideration
will be, the manner of en-
forcing the payments
stipulated for in each case

18/8/9

Forwarded to the Govt Advocate

Prus

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8

18

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No.

48

4. Both the Magistrate and the Civil Court have -
power to order the whole or any portion of the ---
costs of maintaining the lunatic in the asylum, be-
paid out of his estate. Such order has the force -
of a decree which may be executed against the ----
estate.

5. The trouble in the present instance arose from
the refusal of the City Magistrate to exercise the
power vested in him under para 4 of the rules of --
1874. The Magistrate erred in holding that he had
no power to deal with an insane person unless pro-
duced before him by the police as a wandering ----
lunatic. The petitioner might have moved the ----
District Magistrate or Chief Court to revise the --
said order of the Magistrate and direct him to hold
an inquiry and proceed according to law.

6. As to the proposed addition to the rules by --
the introduction of a provision enabling the Officer
in charge of the asylum to admit a lunatic at the -
instance of a private individual on certain conditio^un,
I am of opinion such a power is liable to be mis-
used and I agree with the learned second Councillor
in the view that such a provision is unnecessary.
In a small place like Mysore, where the Magistracy,
Civil Courts and ^{all}controlling authority are ^{all}close
at hand and readily accessible, any person may ----
easily move them to take action in respect of a ---
person

Pris

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person alleged to be insane. However, should it -
 be considered desirable to introduce a provision of
 the kind, it should, in my opinion be done by ---
 legislation, but not by rules framed by the Execu-
 tive Government.

S. Narayana Rao
Govt advocate.

28.8.09.

Submitted for orders

E.B. S.H.
30/8 31-8-09 -

*The file may now be
 Submitted to Dewan*

31/8/09. S.H.

Secy. Remtd to Dewan thro' 10/2/09
11-2-09

51

*As there appears to be a con-
 census of opinion against
 any change in the present
 rules, the matter may be
 allowed to drop. The senior
 surgeon may be allowed to
 peruse the notes*

Dewan).

14/8/09
2/9/09
S.H.
10/9/09

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1857

Subd to II Councillor)
SW
15/9/09
52

I have nothing to add.

Handwritten signature

11/9/09

2465 (3 books)
11-9-09

11-9-09

11/9/09

53

The notes may be sent to the Senior Surgeon for perusal and return as suggested by the 1st Councillor.

11-9-09

54

To the Senior Surgeon for perusal and return.

11-9-09

15-9-09

16/9/09

55

E.O. No. 4 of 22-9-09
24

The magistrate was apparently sorry in not disposing of the case in question - but the above discussion gives no relief in the ~~at~~ such cases: that is in case of respectable persons who desire their unfortunate relatives to be given transferred to the Asylum without making the press over it that would be inevitable if the magistrate has bound the lunatic as required by rule 4.

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56

The various writers who desire no
change seem to fear that if a
lunatic is not brought before a
magistrate some illegal might
be perpetrated against an
individual. But why should
this be possible here more than
in Madras or anywhere else in
the world: ~~the~~ If the man is
confused to be insane by 2
medical men, ^{is} then sent to the
asylum when the Superintendent
makes an immediate note as
his condition, or if he is then made
to appear before the officials
at their next visit. There lies
the risk of a hardship or illegally
being committed ~~and~~ escape
which.

I accordingly think the matter
may well come again before the
various advisory offrs. - & only
pass to afford relief to persons
of good social position in these
distressing cases.

Yours
22/5/19

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No.

- Copy of the foregoing -

U.O.No. 4 dated 22/24 -9-'09.

55

The magistrate was apparently wrong in not disposing of the case in question but the above discussion gives no relief in such cases: that is ⁱⁿ the case of respectable persons who desire their unfortunate relatives to be quietly transferred to the asylum without making the fuss over it that would be inevitable if the magistrate has to send for the lunatic as required by rule 4.

56

The various writers who desire no change seem to fear that if a lunatic is not brought before a magistrate some illegality might be perpetrated against an individual. But why should this be possible here more than in Madras or anywhere else in the world? If the man is certified to be insane by 2 medical men, and is then sent to the asylum where the Superintendent makes an immediate note on his condition, and if he is then made to appear before the official visitors at their next visit, where lies the risk of a hardship or illegality being committed and escape notice?

mis

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57

I accordingly think the matter may well come again
before the various advisors of Govt and orders
passed to afford relief to persons of good social
position in these distressing cases.

(sd) J. Smyth

22-9-'09

Subd for orders.

The Senior Surgeon's note has been
typed for facility of reference.

C.S. SR
25/9/09 *27/9/09*

The Senior Surgeon desires a
reconsideration of the question for reasons
summarised in the portion marked
A.

27/9/09 Sd

Secy. I do hardly think that Colonel
Smyth has assigned ~~any~~ strong
grounds for reconsideration of the question,
which, moreover, is not urgent.

Deven this 1st 22 is

I do not know if the
Senior Surgeon has noted the fact
of the power of respectable persons

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to Commit their relatives to the Lunatic Asylum being very exceptional. When a respectable man has the misfortune of having an insane relative whom he sends to the Asylum, I do not think that he will consider it a grievance if he has to get an order of a judicial Functionary.

The Magistrate could easily manage these matters without any "fuss" or undue publicity.

29/9/09

30/9/09

There is considerable force in the contention that some facilities should be afforded for respectable people to commit their insane relatives to the Lunatic Asylum without having recourse to Magistrate & Police. They dread such exposure of their private affairs. The rules which

W

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elsewhere and they meet a
public want.

The question is sure to come
up again in some form.
The papers may be filed for
the present.

2749 (2 books)
1-10-09

W.H.

12/10/09

2749/09

92 renew

Col. Smyth called at the office today
and instanced a recent case of the
wife of a ~~the~~ German employe of the
~~London~~ ^{Canvey} Electric Dept., as making
out the necessity for some kind of
provision as he advocates. I fear
that the alteration requires legisla-
tion, and that the G. I. may not
approve of such an exceptional pro-
vision of law. Col. Smyth agreed
that if the Magistrates can be made
to hold such enquiry in suitable
cases either in Cambridge or at the
residence of alleged lunatics or
in ~~dispensary~~ ^{dispensary} or
Asylum where they may be kept
for treatment, the inconvenience

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that he refers to may be greatly
obviated.

bb Perhaps it will be a better
thing to 'record' the letter under dis-
posal with the obsⁿ that no fresh
rules are necessary, and that Magis-
trates may in proper cases, to prevent
undue publicity, hold their investigations
in camera, or proceed to inspect the
alleged lunatics in their own places
of residence.

This note should again be kindly
~~re-submitted~~ submitted to the Dewan
& 1st Councillor.

1/10/09
W/O
Sd
4/1/09

[Signature]

not to 1st Councillor.

SW
4/1/09 Col Smith

& mentioned the case of the
German lady.

The course indicated by the
2^d Councillor in para 16 above
may be followed.

14/1/09
4/1/09
Sd
4/1/09

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2749 Subd to Govt.
10.09.10

Wapee Thesecond of the
courses mentioned in para
646 of the 2nd Committee's minute
may be presented. It is decided

Put up draft process & submit to Govt before issue.

ESB
3/1/10
SA
3/1/10

2750

Draft prog is put up.

ESB
3/1/10 4.1.10
SA
3/1/10

gud

74 Dec 1st Appd. 6

ESB
11/1/10

Issue
75

ESB
13/1/10
SA
13/1/10

B Rec
5/1/10

B Rec
13/1/10

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G.O. No. J. 2071-80 of 26-1-10

To the Senior Surgeon &

The St Magts of District.

States that it is inexpedient to alter the existing rules but that in cases where a respectable person desires to commit a lunatic relative of his to the Asylum without undue publicity - Magistrates may hold their investigation in Camera or proceed to the residence of the alleged lunatic.

No. 9. 683
Encs. 6

Office of Senior Surgeon, Mysore Govt.,

Dated, Bangalore, 7-5-1909

From

Lt.-Col. John Smyth, M.D., I.M.S.,

Senior Surgeon with the Government

H. H. the Maharaja of Mysore, Bangalore.

To

K S. Chandrasekhara Iyer Esqr., B.A., B.L.,
Secretary to the Government of H H. the
Maharaja of Mysore, Genl. & Rev. Depts.,
Bangalore.

med 242-08
ge!

Sir,

In forwarding the accompanying copy of letter No. 517, dated, 27-4-1909, from the Senior Surgeon in charge Lunatic Asylum, Bangalore, with its enclosures in original (to be obligingly returned) anent the admission of private insanes into the Asylum, I have the honor to state that I agree with him.

I have the honor to be,

Sir,

Your most obedient servant,



M.
Lt. Col I.M.
Senior Surgeon, Mysore Government

W 4/1/35

From

THE SENIOR SURGEON

WITH THE GOVT. OF MYSORE,

Bangalore.

To

The Secretary to Govt

Genl. & Rev. Deptts

Dated

Bangalore

Despatched

7-5-09

Received

General No.

No.

Enclosure No.

6F

SUBJECT.

Re the admission
of private insane
into the Lunatic-
Asylum, Bangalore

Pris 78-08
gl no 1

Letter No. 517, dated 27th April 1909, from the Senior Surgeon in charge Lunatic Asylum, Bangalore, to the Senior Surgeon with the Government of Mysore.

I have the honor to forward herewith for favour of disposal, the application from G.M. Mahdi Ali Mahkry for admission of his brother into the Asylum. There have been of late several applications of the same nature from private individuals just to avoid publicity and police interference. The Magistrate says that he has no power to order a private insane into the Asylum, and the Medical Officer in charge of the Asylum is not legally empowered to receive such patients under his care and treatment, there being no mention to that effect in the Rules regarding reception and detention of lunatics in Mysore as per Notification of late Chief Commissioner's No. 141 dated 31st July 1874.

In Madras and other Provincial Asylums in India private insanes are admitted upon the application of their relatives or friends as provided in Section VII Act 36 of 1858.

A copy of the rules for admission and discharge of private insanes existing in the Madras Presidency is herewith forwarded for reference.

The same rules may be adopted with the modifications, that *only* one Medical man need sign the certificate and he should be a gazetted medical officer. A special clause should be inserted to the effect that all new admissions to the Asylum should be separately shown to and specially paraded, before the official visitors at their next following visit to the Asylum.

" C O P Y "


M.D.
Lt.Col.I.M.S.,
Senior Surgeon, Mysore Government.

17/10

File No. 79-08
Serial No 2

Diary No. of letter replied to

8021

Proceedings of the Government of His Highness
the Maharaja of Mysore.

GENERAL AND REVENUE
SECRETARIAT.

()

READ—

, the

190

Date of issue 26-1-10

Signed by

Mr. K. V. K. K. K. K. K.

Letter No. 683 of 7-5-1908

4

from the Senior Surgeon with the Govt
~~forwarding a copy for orders of Govt~~
~~a copy of letter No. 517 of 27-4-1908~~
~~from the Senior Surgeon in charge~~
~~of the Lunatic Asylum, suggesting~~

(ORDER THEREON) No.

that the existing rules regarding
the admission of lunatics to the
Asylum may be so modified
as to allow private lunatics
to be admitted to the Asylum
at the request of their relatives,
without publicity and police inter-

m 820

25/11

Expd. S. K.

interference.

Order thereon: No. J 2071-80 & 26/11/10

~~But~~ After a careful consideration
the question Govt are of opinion
that it is not expedient to
~~modify or add~~ ^{alter} to the existing
rules in regard to the admission
of lunatics to the Asylum.

2. In cases where a respectable
person desires to send a lunatic
relative to the Asylum without
induce publicity, ~~or otherwise~~
Magistrates may hold their
investigations in camera or
proceed to inspect the alleged
lunatics in their own places
of residence.

Print

USB

Offs Secy Govt

11/1/10

To the Senior Surgeon with the Govt.

Registrar, Chief Court.

At Magistrates of District for report

Comm to all their subordinate magts

3/1/10 SN
11/1/10

Jan. 10

III—Judl. & Legis. Sec. 3

*Proceedings of the Government of His Highness the Maharaja of Mysore,
Judicial and Legislative (Prisons), dated 26th January 1910.*

READ—

Letter No. 683-4, dated 7th May 1909, from the Senior Surgeon with the Government of Mysore, suggesting that the existing rules regarding the admission of lunatics to the Asylum may be so modified as to allow private lunatics to be admitted to the Asylum at the request of their relatives, without publicity and Police interference.

No. J. 2071-80—PRIS. 79-08-2, DATED BANGALORE, 26TH JANUARY 1910.

ORDER THEREON.—Government are of opinion that it is not expedient to alter the existing rules in regard to the admission of lunatics to the Asylum.

2. In cases where a respectable person desires to send a lunatic relative to the Asylum without undue publicity, Magistrates may hold their investigation *in camera* or proceed to inspect the alleged lunatics in their own places of residence.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Senior Surgeon with the Government of Mysore.
The Registrar, Chief Court of Mysore.
District Magistrates of Districts for information to all the subordinate Magistrates.

Exd.—c. v.

1909-10

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(PRISONS)

P R O C E E D I N G S

Dated 26th January 1910

No. J. 2071-80
Pris. 79-08-2

Passing orders in the matter of the admission of private lunatics into the Lunatic Asylum without publicity and Police interference.

6/

Act XXXIV of 1858

To Courts & Courts:

S. 8. Inquiry may be referred to 8th St.

S. 13 Powers of Committee over pro-

S. 18. Sale may be ordered by Co

S. 27 Power to receive ma
without affd & Con

S. 28. Do - in.

S. 32. Depositions

XXXV of 1858

~~Proff~~ Affidavit & Court.

23 S. 20. All may be admitted
to Appr.

XXXVI

S. 7 of this act gives
to the only in Pres. &
S. 8. The in. & in. & in.

a private person can act only through
a Civil Court.

Even in England, a reception by a 'Judicial authority' is necessary.

Encycl. I. 368, 369, 371.

As to who is 'judicial authority'?

Do. 371

(Justice of the peace specially appointed
or optionally a County Ct Judge or
Magistrate)

Only 'urgency' orders to be in force for
seven days may be made by private
persons. (P. 372)

Reception Order -

Ch II of 'Lunacy Practice'

See PP 8, 9 - 10 (urgency order)

Discharge from Asylum

(P 17) -

"Transfer" by the Lunatic.

PP. 47-8

"Inheredence" 52-53

Lunacy Act (1890) same books

Reception order - S. 4 -
(Just authority necessary)

Emergency order S. 11.

Care & treatment
elaborately provided for

(ss 39 - 89)

Discharge (72-82)

Visitation (Pt VII).

Rules in Lunacy P 495 &c.

(Notice how s. 2 on alleged lunatic.

Orders about "Committee" P 502 &c.
S 36 &c. 7